

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	LUMPKIN	}	EXAMINER:
SERIAL NO.:	10/647,543		ART UNIT: 3683
FILED:	AUGUST 25, 2003		CONFIRMATION NO: 3122
TITLE:	REACH ADJUSTMENT MECHANISM FOR A MASTER CYLINDER LEVER OF A HYDRAULIC DISC BRAKE		

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

**TIME OF TRANSMITTAL**

This Information Disclosure Statement is being submitted under 37 CFR § 1.97(c). This Statement is filed after three months from the filing date of the national application, after three months from the date of entry into national stage under 37 CFR § 1.491, after the mailing of a first Office Action on the merits, or after the mailing of a first Office Action after the filing of a requested for continued examination under 37 CFR § 1.114, but before the mailing date of any of:

- (a) a final action under 37 CFR § 1.113;
- (b) a notice of allowance under 37 CFR § 1.311; or
- (c) an action that otherwise closes prosecution in the application.

**Certification under 37 CFR § 1.97(e)(1)**

The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

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37 CFR 1.8  
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 19duly2004.

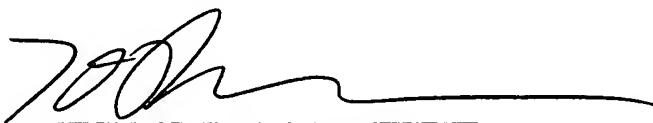
Signature:   
Name: Lisa S. Susser

As listed in the attached PTO Form 1449, attached is a communication from the European Patent Office in a counterpart foreign application with claims directed to related subject matter as the present application. This application cites DE 200 18 705 U (Reference D1) as making claim 11, which was pending in the EP application, not new. Attached to the Office Action is a copy of the claims that are the subject of the Office Action.

Reference D1 was submitted in this application in an IDS dated June 30, 2003 and was considered by the Examiner in allowing the present application. However, Applicant learned after receiving the February 18, 2004 EP Office Action of certain information appearing in the German language in Reference D1 of a material nature. As can be seen from a review of the figures of Reference D1, Reference D1 appears to be directed to a closed system (i.e., not having a fluid port in the cylinder with respect to which dead band can be adjusted.) However, in a partial translation of Reference D1 obtained in order to respond to the European Office Action, the undersigned learned that while Figs. 1-4 clearly describe and show a closed hydraulic system, from page 3, lines 9-11 and page 4, lines 1-14, Reference D1 is intended to cover an open system as well as a closed system. Page 3, line 9-11 can be translated as follows: "Nevertheless in a known manner, an opening (Schnueffelloch) in connection with a hydraulic fluid reservoir, forms an open system." Further, on page 4, lines 1-4, subsequent to the detailed description of Figs. 1 and 2, it is stated that "In this way it is possible, in an open system to adjust the dead band (Leerweg) - that is the plunger distance up to the traversing of the opening by the forward edge of the seal (Dichtung 6)...."

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,



Thomas D. Bratschun, # 32,966  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
303-268-0066  
303-268-0065 (FAX)

cc: Wayne Lumpkin  
Milan Milosevic  
Maria Santos

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<b>FORM PTO-1449</b> <b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b> List of Information Cited by Applicant Page 1 of 1	<b>ATTY. DOCKET NO.</b>	<b>SERIAL NO.</b>
	AVID.18-2	10/316,598
	<b>APPLICANT</b>	
	LUMPKIN	
<b>FILING DATE</b>	<b>GROUP</b>	
DECEMBER 10, 2002	3745	

<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAM. INITIAL</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLS</b>	<b>SUB- CLS</b>	<b>FILE DATE</b>
	AA						
	AB						

<b>FOREIGN PATENT DOCUMENTS</b>							
<b>EXAM. INITIAL</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLS</b>	<b>SUB CLS</b>	<b>TRANS ?</b>
	AC						

<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	<sup>AD</sup>	Communication pursuant to Article 96(2) EPC, dated February 18, 2004 in EP Application No. 02 080 490.2					
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>					
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							